
	<b>Florida State University Police Department</b>	
<b>Prohibition of Biased Policing</b>		
Revision Effective Date: 03/03/2020	<b>General Order 203</b>	Attachments: None
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	Pages: 4	

***Policy***

**Prohibition of Biased Policing**

Racial and/or ethnic-based policing in law enforcement is reprehensible and an affront to the profession, Constitutional rights, federal and state laws, the community, and any individual(s) affected by the malignancy of bias. Therefore, it is the explicit policy of the FSU PD that biased policing in traffic contacts, field contacts, and in asset seizure, search warrants, and forfeiture efforts is strictly prohibited. Sworn officers shall actively enforce state and federal laws and applicable University policies and procedures in a responsible and professional manner, without regard to race, ethnicity, national origin, sexual orientation, or gender.

However, officers may take into account the reported race or ethnicity of a specific suspect or suspects based upon trustworthy, locally relevant information that links a person or persons of a specific race or ethnicity to specific unlawful incident. In and of themselves, race and/or ethnicity can *never* be used as the sole basis for probable cause or reasonable suspicion.

The racial, ethnic, gender or sexual orientation of the suspect undergoing arrest, search, or seizure may only be legitimately used by the officer when they are integral to identifying the person to be arrested or undergo a search or seizure.

***Procedure***

**A. Basic Procedures to Be Utilized for Field Contacts and Vehicle Stops**

In an effort to prevent inappropriate perceptions of biased law enforcement, each officer shall do the following when conducting field contacts and vehicle stops.

1. Be respectful, courteous, and professional.
2. Introduce himself or herself to the citizen (providing last name and agency affiliation) and state the reason for the stop as soon as practical, unless providing this information will compromise the officer's safety or public safety. For vehicle stops, the officer shall provide this information before asking the driver for his or her license, registration, and proof of insurance.
3. Ensure that detention is no longer than necessary in order to take appropriate action for the known or suspected offense, and that the citizen understands the purpose of reasonable delays.
4. Provide his or her name and badge number if requested, in writing, or on a business card.
5. Apologize if appropriate and explain if the officer determines that reasonable cause was unfounded, e.g., after an investigatory stop.

**B. Specific Procedures to Be Utilized for Vehicle Stops**

Traffic/vehicle stops by officers of the FSU PD must be conducted in strict accordance with the provisions of the General Order titled, "Traffic Administration and Enforcement." Sworn officers may **not** use racial, ethnic, gender, or sexual stereotypes when selecting whom to stop, interview, and/or search.

**C. Specific Procedures to Be Utilized for Field Contact and Stops**

Field contacts and stops by officers of the FSU PD must be conducted in accordance with the General Order titled, "Field Interviews/Trespass." Sworn officers may **not** use racial, ethnic, gender, or sexual stereotypes when selecting whom to stop, interview, and/or search.

**D. Specific Procedures to Be Utilized for Arrests, Searches, and Seizures**

Arrests, searches, and seizures by officer of the FSU PD must be conducted in accordance with the provisions of the General Orders titled, "Arrests, Searches, and Seizures" and "Residence Halls Warrantless Searches." Sworn officers may **not** use racial, ethnic, gender, or sexual stereotypes when selecting whom to arrest and who should undergo a lawful search and seizure.

**E. Specific Procedures to Be Utilized for Investigations, Interviews, and Interrogations**

Preliminary and follow-up investigations conducted by officers of the FSU PD must be in accordance with the provisions of the General Order titled, "Investigations." Sworn officers and investigators may not use racial, ethnic, gender, or sexual stereotypes when deciding whom to investigate, interrogate, or interview.

Racial, ethnic, gender, or sexual orientation of the suspect or witness undergoing interview or interrogation may only be legitimately taken into account by the officer when such orientation is integral to the investigation, interview, or interrogation.

**F. Training**

Training programs, including legal aspects, shall emphasize the need to respect the right of all citizens to be free from unreasonable governmental intrusion and police action.

1. All sworn officers are required to complete mandatory training titled, "Discriminatory Profiling and Professional Traffic Stops" in conjunction with an additional training course pertaining to the subject of Human Diversity. [CFA 2.06A].
2. The Training Coordinator shall be responsible for periodically reviewing all sworn officers' training files to ensure registration, successful completion and documentation of the "Discriminatory Profiling and Professional Traffic Stops" course.

**G. Administrative Review**

Officers are required to complete the demographic profile page within the records management program, SPILLMAN. This shall be required for all traffic stops.

The Lieutenant for Compliance and Training shall be responsible for conducting an annual administrative review of traffic stop procedures related to biased policing for the calendar year (January 1 – December 31). The report shall indicate whether policy, training, equipment, or disciplinary issues should be or were already addressed [CFA 2.06E]. The report shall also indicate which specific complaints are sustained, not sustained, or exonerated. All citizen complaints alleging biased policing on the part of any Departmental member will be investigated. The investigation of citizen complaints alleging bias-based profiling by any member of the FSU PD shall be accomplished in accordance with the provisions of the General Order titled, "Citizens Complaints and Internal Affairs." [CFA 2.06F]

**H. Corrective Measures**

After reviewing the information from the annual review discussed above, the Chief of Police shall be responsible for determining if, indeed, biased policing has occurred in relation to any of the major Departmental functions discussed within this General Order. The Chief shall further determine from these reports and by other means at his or her disposal, if such biased policing is endemic to the Department or reflective only upon the actions of specific employees.

If the Chief determines, based upon empirical evidence, that biased policing has occurred on the part of any employee(s), sworn or non-sworn, of the FSU PD, such employee(s) shall be subject to the appropriate disciplinary procedures discussed in the General Order titled, "Standards of Conduct" and according to the University Disciplinary Guidelines. [CFA 2.06B].


**I. Community-Based Education and Awareness Efforts [CFA 2.06D]**

The FSU PD provides public information regarding biased policing to the University Community through its website, ongoing Citizen's Police Academies, and other community presentations.

**Glossary [CFA 2.06C]**

**Biased Policing** – The inappropriate consideration of specified characteristics while enforcing the law or providing police services. Specified characteristics includes, but is not limited to, race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, political status, or any other legally protected characteristics.

**Attachments**—None

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Approved:	 Terri S. Brown, Chief
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